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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/633,526 | 08/05/2003 | Chih Chang Lai | MR1683-485 | 5401 |
| 4586 | 7590 | 11/01/2005 | EXAMINER | |
| ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043 | | | PATEL, NITIN | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2673 | |

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/633,526

Applicant(s)

LAI, CHIH CHANG

Examiner

Nitin Patel

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitation "the orthogonal principal" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim Objections

2. In claim 1 there are two periods in lines 6 and 10 should be comma or semicolon.

In claim 1 line 5 "a predicted " should be said or the predicted.

In claim 1 line 6 "And" should be and or take the term and out and have a comma after then.

In claim 1 line 8 after X-coordinate should be the word and instead of comma.

In claim 1, the last lines (10-14) read as Consequently, the estimating X-coordinate and the Y- coordinate are more accurate than that of the conventional touch panel and a has a good relationship with adjacent coordinates, Examiner is not clear for this limitation and the term estimating X and Y coordinate are more accurate than the conventional touch panel is just a conclusionary statement and provide no further limitation statement.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schiller et al., (U.S. patent No. 6,577,299) in view of Stuerzlinger (US 20040239653).

As per claim 1, Schiller discloses a method for estimating coordinates of a touch panel providing a filter (In col.4 lines 60-61) to the touch panel (In col.4 line 55-56, PDA is well known in the art having a touch panel), the filter estimating the X and Y coordinate by estimated technique (as best understood by examiner, In col.4 lines 25-28 and in fig.4 element 460 to estimate the value of X and Y coordinate) to calculate a sampling cycle (read as frequency in col.4 lines 60-63), then the filter estimates the estimating X-coordinate and Y- coordinate by using the estimating the present measurement of X-coordinate and Y-coordinate and relying on the orthogonal principal (as best understood by examiner in fig.4 element 460 and In fig.6 and In col.5 lines 20-28).

Schiller does not specifically teach the filter for predicting the value of the coordinate using the predicting technique.

Stuerzlinger discloses a filter (element 27 in fig.1) for predicting the past and present and future value for detecting the value of detected spot.

It would have been obvious to one of ordinary skill in the art, at the time of the invention was made to have combined the teaching of Stuerzlinger's predicting value using a filter with display device (such as PDA) of Schiller's because it would have

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provided a controlling operation of the input device and registered interactions by the user via the input device with distinct pattern.

As per claim 2, Schiller shows the filter is a kalman filter (in fig.4 element 460 and In col.4 lines 63-67).

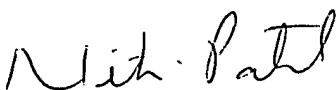
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin Patel whose telephone number is 571-272-7677. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H. Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NP



October 23, 2005

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